

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHERYL SAGATAW, DEANTHONY
BARNES, ROBERTA STRONG, and
TRAVIS NELOMS, *on behalf of*
themselves and a class of
similarly-situated individuals,

Civil Action No.
0:24-cv-00001-ECT/TNL

Plaintiffs,

vs.

MAYOR JACOB FREY, *in his*
individual and official capacity,

**SECOND DECLARATION OF
NICOLE PEREZ IN
SUPPORT OF SECOND
MOTION FOR TEMPORARY
RESTRANING ORDER**

Defendant.

SECOND DECLARATION OF NICOLE PEREZ

I, Nicole Perez, pursuant to 28 U.S.C. § 1746, declare as follows:

1. My name is Nicole Perez and I am 46 years old.
2. I previously submitted a declaration in this case, dated December 15, 2023. I am submitting this second declaration because of the harms and injustices that have since occurred.
3. Since my last declaration, Nenookaasi has been evicted three times. I was present at each of these three evictions.
4. Prior to this first eviction but not since then, I saw people from the city offering to store people's stuff downtown. They come into camp but don't really talk to anyone. I tell them, "go ahead, offer it up," but most people don't see them. The City workers came in with little cards with a phone number on it to call, theoretically so that residents could take their stuff downtown. It would just be a tote bin, I think only one or two in total, and they'd have to transport it themselves. I didn't see them even talk to anyone, let alone give out cards.
5. The first of these evictions was on January 4, 2024. We had notice of this eviction, it was posted on a sign several days in advance the date that we would be evicted on, January 4th. I was there the whole time, from before the law enforcement arrived until the evening when everyone had to go. They put crime scene tape up around the encampment. I was helping people get their things together, pack up their belongings. I did not see anyone from the Homeless Response Team. I was not aware of anyone being given the option of storing stuff downtown. I have seen people on other occasions prior to the eviction from Minnesota Regulatory Services/HRT offering storage so I would recognize them if I saw them, but I did not see them. AVIVO was there, and a lot of friends, family, community supporters.
6. The second of these evictions was on January 30, 2024. We had no notice of this eviction date. I woke up that morning to the sound of drones flying over the camp, and walked outside the camp to see City and law enforcement vehicles begin staging at the end of the block. We were told by law enforcement that we had ninety minutes to be gone from the area. They set up a sound machine, a long range acoustic device, positioned on top of a police car right outside the entrance to the camp, facing us. That was the scariest part. Law enforcement were allowing some people, but not many, to come in and help everyone pack up. Law enforcement blocked off about block in each direction with crime scene tape. We had to be very persistent and beg them to let us have more friends and family come in to help us move people out. I did not see anyone from the HRT there, I did not see or hear about anyone being offered storage space downtown or transportation there. AVIVO found out about this eviction from social media and didn't arrive until way later that day so for

the better part of the morning there were no social workers, agencies, or housing resources. We tried to keep people's spirits up, but people had anxiety about the whole experience. People lost a lot of possessions.

7. The third of these evictions was on February 1, 2024. We had no notice of the eviction date. I woke up and again heard drones, saw city vehicles, and a police car parked down the block. I did not see or hear anyone from the HRT, I did not see or hear anyone offering storage downtown, and since no notice was given the social workers and service agencies, the nonprofits, didn't know to come until they were called by residents. Police had set up at least a block in each direction with crime scene tape and refused to let people come in to help residents pack up. Some social service agency members were even denied access.
8. The court hearing on January 3rd in these proceedings was hurtful. We were being talked about by people who don't know us, people who haven't been here. For example, referencing that a baby died in camp, when in reality that the baby was miscarried, but making it sound like this baby was born healthy and allowed to die, that was so dehumanizing. That was the mother's trauma, and that baby's life, to just put out there, to make it seem like it was something that it wasn't, by someone who had just heard a rumor but who doesn't know the mother, what she's been through or her experiences. That mother is still here. The Mayor's lawyer said that a hundred 911 calls were made in this area, but didn't say anything about how many of those calls were for other reasons, or were for people who are prejudiced against unhoused people or Native people as opposed to actually seeing a dangerous situation, or were even people from camp calling 911 ourselves to try to enlist the assistance of first responders in dealing with the hardships and emergencies that are part and parcel of being unhoused. We certainly did not have 100 police visiting the camp during that time period. So, if they really were called that many times, we sure didn't see them.
9. On February 5, 2024, a Minneapolis Regulatory Services employee, first name is Jose, vehicle ID 08146, who I had seen before, prior to evictions offering storage, came into camp carrying a case of water and some granola bars. I asked him if there was storage available, if he was here to offer storage, and he said "no."

I declare under penalty of perjury that this declaration is true and correct.

Executed on February 12, 2024, in the City of Minneapolis, County of Hennepin, State of Minnesota, Treaty-Ceded Territory of the Dakota peoples.



NICOLE PEREZ